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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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THE DIRECTV GROUP INC
PATENT DOCKET ADMINISTRATION RE/R11/A109
P O BOX 956
EL SEGUNDO, CA 90245-0956

EXAMINER

SHELEHEDA, JAMES R

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 08/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/733,229

Applicant(s)

SOLOFF ET AL.

Examiner

James Sheleheda

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 8-17, 20-30 and 33-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-17, 20-30 and 33-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/31/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/17/06 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3-5, 9, 12, 14-17, 21, 24, 25 and 27-30 and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang (6,675,385) (of record) in view of Allport (6,097,441).

As to claim 1, Wang discloses a DSS terrestrial-satellite communications network (a satellite network which transmits digital MPEG data; column 4, lines 19-23 and column 4, lines 62-66) for delivering information (EPG data; column 4, lines 31-33) to a viewing device (Fig. 1; TV receiver, 34) without the need for a user to possess

additional communications hardware (wherein the user simply requires a set top and display; column 3, lines 47-55), the network comprising:

means for selecting, acquiring (EPG Manager, 14; column 3, lines 56-67) and editing (formatting by MPEG streamer, 18; column 4, lines 9-13) content specific information (EPG information for programming content; Fig. 4; column 6, lines 5-16);

a first network computer (Fig. 1; EPG database, 10 inherently contained in a computer) having memory storage means for storing said information (storing the EPG data; column 3, lines 37-41);

a central network computer (Fig. 1; a computer in headend, 16; column 3, lines 42-46);

means for transmitting the content specific information from said first network computer to said central network computer (column 3, lines 56-61);

one or more communication satellites (direct broadcast satellite; column 4, lines 62-66) for receiving and transmitting broadcast signals (column 4, lines 62-66), where the broadcast signals are associated with discrete broadcast channels (Fig. 2; channels 38-38N and 40-40N; column 5, lines 5-30);

uplink means coupling the content specific information and discrete broadcast channels from said central network computer to said satellites (wherein an uplink means is inherently present for signals from the headend (16) to reach the satellite; Fig. 4; column 4, line 62-66 and column 5, lines 5-30), wherein said central network computer includes a means to couple said content specific information to the discrete broadcast channels (EPG data being transmitted over the broadcast channels; column 5, lines 5-

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62), where said specific content information has similar subject matter content as the coupled discrete broadcast channel (wherein the EPG has programming information for the broadcast channels; column 5, line 46-column 6, line 35);

downlink means (wherein a downlink means is inherently present for signals from the satellite to reach the set top (24); Fig. 4; column 4, line 62-66 and column 5, lines 5-29) coupling said broadcast channels and specific content information from said satellites to a receiving antenna (wherein an antenna is inherently present for the set top to receive transmitted satellite signals) situated within said satellite's coverage area (the antenna must be situated in the coverage area for the signal to be received);

an IRD (set top, 24) connected to said receiving antenna (the set top must be connected to the antenna to receive the satellite signals); and

a means residing in the IRD that decouples the specific content information from each respective discrete broadcast channel (separating the guide information from the MPEG stream; column 7, lines 66-column 8, line 21) and directs the broadcast channel to a passive viewing device (column 7, lines 50-54). While Wang discloses displaying content specific information related to the broadcast (EPG data indicating the broadcast programming; column 6, lines 17-48) he fails to specifically disclose directing the information to an interactive viewing device, a serial connection between said interactive viewing device and the IRD, a low speed-data port on the interactive viewing device to receiving the information via the serial connection, said interactive viewing device containing means for displaying the information on said interactive viewing device, and a memory storage device situated within said interactive viewing device.

In an analogous art, Allport discloses a television receiving system (Fig. 2) wherein a base station (75) will receive broadcast television signals with additional information (include program listing information; column 7, line 59-column 8, line 13) and separate out the additional information for transmission to an interactive remote control (column 9, lines 53-65 and column 12, lines 11-44) which can store the information in memory (Fig. 4, 340; column 15, lines 36-47) for later display on the remote control (column 8, lines 1-13 and column 12, lines 11-44) through an infrared port connection (column 10, lines 9-35) for the typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV (column 8, lines 5-25).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang's system to include directing the information to an interactive viewing device, a serial connection between said interactive viewing device and the IRD, a low speed-data port on the interactive viewing device to receiving the information via the serial connection, said interactive viewing device containing means for displaying the information on said interactive viewing device, and a memory storage device situated within said interactive viewing device, as taught by Allport, for the typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV.

As to claim 12, Wang discloses a DSS terrestrial-satellite internet communications network (a satellite network which transmits digital MPEG data; column

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4, lines 19-23 and column 4, lines 62-66) for delivering content specific HTML-formatted information (EPG data; column 4, lines 31-33) retrieved from the Internet (column 4, lines 5-8) to a viewing device (Fig. 1; TV receiver, 34) without the need for a user to possess additional communications hardware (wherein the user simply requires a set top and display; column 3, lines 47-55), the network comprising:

means for selecting, acquiring (EPG Manager, 14; column 3, lines 56-67) and editing (formatting by MPEG streamer, 18; column 4, lines 9-13) content specific HTML formatted information (EPG information for programming content; Fig. 4; column 6, lines 5-16) retrieved from the Internet (column 4, lines 5-8);

a first network computer (Fig. 1; a computer storing the EPG webpages on the Internet, 11) having memory storage means for storing said content specific information (wherein the webpages are inherently stored on the Internet computer; column 3, lines 37-41);

a central network computer (Fig. 1; a computer in headend, 16; column 3, lines 42-46);

means for transmitting the content specific information from said first network computer to said central network computer (column 3, lines 56-61);

one or more communication satellites (direct broadcast satellite; column 4, lines 62-66) for receiving and transmitting broadcast signals (column 4, lines 62-66), where the broadcast signals are associated with discrete broadcast channels (Fig. 2; channels 38-38N and 40-40N; column 5, lines 5-30);

uplink means coupling the content specific information and discrete broadcast channels from said central network computer to said satellites (wherein an uplink means is inherently present for signals from the headend (16) to reach the satellite; Fig. 4; column 4, line 62-66 and column 5, lines 5-30), wherein said central network computer includes a means to couple said content specific information to the discrete broadcast channels (EPG data being transmitted over the broadcast channels; column 5, lines 5-62), where said specific content information has similar subject matter content as the coupled discrete broadcast channel (wherein the EPG has programming information for the broadcast channels; column 5, line 46-column 6, line 35);

downlink means (wherein a downlink means is inherently present for signals from the satellite to reach the set top (24); Fig. 4; column 4, line 62-66 and column 5, lines 5-29) coupling said broadcast channels and specific content information from said satellites to a receiving antenna (wherein an antenna is inherently present for the set top to receive transmitted satellite signals) situated within said satellite's coverage area (the antenna must be situated in the coverage area for the signal to be received);

an IRD (set top, 24) connected to said receiving antenna (the set top must be connected to the antenna to receive the satellite signals); and

a means residing in the IRD that decouples the specific content information from each respective discrete broadcast channel (separating the guide information from the MPEG stream; column 7, lines 66-column 8, line 21) and directs the broadcast channel to a passive viewing device (column 7, lines 50-54). While Wang discloses displaying content specific information related to the broadcast (EPG data indicating the broadcast

programming; column 6, lines 17-48), he fails to specifically disclose directing the information to an interactive viewing device, a serial connection between said interactive viewing device and the IRD, a low speed-data port on the interactive viewing device to receiving the information via the serial connection, said interactive viewing device containing means for displaying the information on said interactive viewing device, and a memory storage device situated within said interactive viewing device.

In an analogous art, Allport discloses a television receiving system (Fig. 2) wherein a base station (75) will receive broadcast television signals with additional information (include program listing information; column 7, line 59-column 8, line 13) and separate out the additional information for transmission to an interactive remote control (column 9, lines 53-65 and column 12, lines 11-44) which can store the information in memory (Fig. 4, 340; column 15, lines 36-47) for later display on the remote control (column 8, lines 1-13 and column 12, lines 11-44) through a infrared port connection (column 10, lines 9-35) for the typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV (column 8, lines 5-25).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang's system to include directing the information to an interactive viewing device, a serial connection between said interactive viewing device and the IRD, a low speed-data port on the interactive viewing device to receiving the information via the serial connection, said interactive viewing device containing means for displaying the information on said interactive viewing device, and a memory

storage device situated within said interactive viewing device, as taught by Allport, for the typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV.

As to claim 24, while Wang discloses an IRD (set top, 24) incorporated into a DSS terrestrial-satellite communications network (a satellite network which transmits digital MPEG data; column 4, lines 19-23 and column 4, lines 62-66), said IRD capable of transmitting received satellite-broadcast signals in discrete broadcast channels (EPG data being transmitted over the broadcast channels; Fig. 2; channels 38-38N and 40-40N; column 5, lines 5-62) including content specific information (EPG information for programming content; Fig. 4; column 6, lines 5-16) said IRD comprising: a first port to provide linking means to a television (Fig. 1; TV receiver, 34), he fails to specifically disclose a second port to provide linking means to an interactive viewing device, wherein said linking means is a low-speed serial data port capable of transferring the content specific information via a serial connection to said interactive viewing device without the need for a user to possess a dedicated telephone line or modem and wherein the connector between the viewing device and IRD is a hardwired RS-232 serial connector.

In an analogous art, Allport discloses a television receiving system (Fig. 2) wherein a base station (75) will receive broadcast television signals with additional information (include program listing information; column 7, line 59-column 8, line 13) and separate out the additional information for transmission to an interactive remove

control (column 9, lines 53-65 and column 12, lines 11-44) which can store the information in memory (Fig. 4, 340; column 15, lines 36-47) for later display on the remote control (column 8, lines 1-13 and column 12, lines 11-44) through a infrared port connection (column 10, lines 9-35) for the typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV (column 8, lines 5-25).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang's system to include a second port to provide linking means to an interactive viewing device, wherein said linking means is a low-speed serial data port capable of transferring the content specific information via a serial connection to said interactive viewing device without the need for a user to possess a dedicated telephone line or modem and wherein the connector between the viewing device and IRD is a hardwired RS-232 serial connector, as taught by Allport, for the typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV.

As to claim 28, Wang discloses a method for delivering information (EPG data; column 4, lines 31-33) to a viewing device (Fig. 1; TV receiver, 34) without the need for a user to possess additional communications hardware (wherein the user simply requires a set top and display; column 3, lines 47-55) comprising the steps of:

selecting, retrieving and storing content specific information on a first network computer (wherein EPG information is selected, retrieved and stored in EPG database, 10; column 3, lines 36-41);

transferring said content specific information to a central network computer (headend, 16) where said content specific information is stored (in a local database in headend, 16; column 3, lines 56-61);

coupling said content specific information to discrete broadcast channels (EPG data being transmitted over the broadcast channels; column 5, lines 5-62), where said specific content information has similar subject matter content as the coupled discrete broadcast channel (wherein the EPG has programming information for the broadcast channels; column 5, line 46-column 6, line 35);

uplinking said coupled content specific information and discrete broadcast channels from said central network computer to one or more satellites in the form of a broadcast signals (wherein the information from headend 16 is inherently uplinked to a satellite for DBS; column 4, line 62-66);

downlinking said broadcast signals from said satellites to a receiving antenna connected to an IRD (wherein set top, 24 inherently has an antenna to which signals are downlinked for DBS to function correctly; column 4, line 62-66);

decoupling said content specific information from discrete broadcast channels via the IRD (separating the guide information from the MPEG stream; column 7, lines 66-column 8, line 21), he fails to specifically disclose transmitting said content specific information from said IRD to said interactive viewing device, using a serial connection to

serially connect said interactive viewing device to said IRD via a low speed serial data port, said interactive viewing device further including a memory storage device, displaying said content specific information on said interactive viewing device via a displaying means.

In an analogous art, Allport discloses a television receiving system (Fig. 2) wherein a base station (75) will receive broadcast television signals with additional information (include program listing information; column 7, line 59-column 8, line 13) and separate out the additional information for transmission to an interactive remote control (column 9, lines 53-65 and column 12, lines 11-44) which can store the information in memory (Fig. 4, 340; column 15, lines 36-47) for later display on the remote control (column 8, lines 1-13 and column 12, lines 11-44) through a infrared port connection (column 10, lines 9-35) for the typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV (column 8, lines 5-25).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang's system to include a second port to provide linking means to an interactive viewing device, wherein said linking means is a low-speed serial data port capable of transferring the content specific information via a serial connection to said interactive viewing device without the need for a user to possess a dedicated telephone line or modem and wherein the connector between the viewing device and IRD is a hardwired RS-232 serial connector, as taught by Allport, for the

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typical benefit of allowing additional information to be received and displayed on the remote control without interfering with the program playing on the TV.

As to claims 3, 14 and 27, Wang and Allport disclose wherein the interactive viewing device is a PDA (PALM Pilot; see Allport at column 1, lines 7-15, incorporating application 09/001,873 by reference and see application 09/001,873 at Fig. 18, column 26, line 61-column 22, line 22).

As to claims 4, 15 and 29, Wang and Allport disclose automatically storing said content specific information in said interactive viewing device's storage memory (see Allport at column 9, lines 53-65 and column 12, lines 11-18).

As to claims 5, 17, 25 and 30, Wang and Allport disclose wherein said broadcast signals further comprises audio and video DSS signals (See Wang at Fig. 3; column 7, lines 31-37) bundled with the content specific information (See Wang at Fig. 3; column 7, lines 31-42), said audio and video signals corresponding to a selected television channel (see Wang at column 7, lines 50-54), and wherein said specific content information has similar subject matter content as the coupled discrete broadcast channel (wherein the EPG has programming information for the broadcast channels; see Wang at column 5, line 46-column 6, line 35).

As to claims 9, 21 and 35, Wang and Allport disclose wherein the content specific information comprises at least television program guide data (see Wang at column 4, lines 24-33).

As to claim 33, Wang and Allport disclose wherein the content specific information comprises HTML formatted data retrieved from the Internet (see Wang at column 4, lines 5-8).

As to claims 16 and 34, Wang and Allport disclose wherein said means for displaying said information comprises a browser (see Wang at column 3, lines 51-55).

As to claim 36, Wang and Allport disclose wherein the content specific information comprises at least television program guide data (see Wang at column 3, lines 62-67) and HTML-formatted information retrieved from the internet (see Wang at column 4, lines 5-8).

4. Claims 8, 10, 11, 20, 22, 23 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang and Allport as applied to claims 9, 21 and 36 above, and further in view of Stiles (US2002/0069416) (of record).

As to claim 8, while Wang and Allport disclose a first computer (see Wang at Fig. 1; EPG Database, 10; column 3, lines 37-41), they fail to specifically disclose a second

network computer for processing, formatting and storing said content specific information.

In an analogous art, Stiles discloses a satellite broadcast system (Fig. 1; paragraph 17) wherein a network operations center (30) will assemble and broadcast programming (paragraph 17, lines 8-16) to a first computer (Fig. 1; NOB, 26 comprising a computer to control processing; paragraph 32, lines 11-16; paragraph 17, lines 5-16 and paragraph 19, lines 1-5) and then a second computer (NOB, 71 comprising a computer to control processing; paragraph 32, lines 11-16; paragraph 22, lines 1-4 and lines 11-17) and wherein each computer will then prepare the information (Fig. 2; paragraph 28 and paragraph 33) for distribution to users (Fig. 1, VSAT users, 72; paragraph 22, lines 11-17) for the typical benefit of allowing local computers to process the programming for local audiences (paragraphs 25 and 26).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang and Allport's system to include a second network computer for processing, formatting and storing said content specific information, as taught by Stiles, for the typical benefit of enabling EPG information in a television system to be tailored to be more relevant to local viewers.

As to claim 20, while Wang and Allport disclose a first computer (Fig. 1; a computer storing the EPG webpages on the Internet, 11; column 4, lines 5-8) they fail to specifically disclose a second network computer for processing, formatting and storing said content specific information.

In an analogous art, Stiles discloses a satellite broadcast system (Fig. 1; paragraph 17) wherein a network operations center (30) will assemble and broadcast programming (paragraph 17, lines 8-16) to a first computer (Fig. 1; NOB, 26 comprising a computer to control processing; Fig. 2, paragraph 32, lines 11-16; paragraph 17, lines 5-16 and paragraph 19, lines 1-5) and then a second computer (NOB, 71 comprising a computer to control processing; Fig. 2, paragraph 32, lines 11-16; paragraph 22, lines 1-4 and lines 11-17) and wherein each computer will then prepare the information (Fig. 2; paragraph 28 and paragraph 33) for distribution to users (Fig. 1, VSAT users, 72; paragraph 22, lines 11-17) for the typical benefit of allowing local computers to process the programming for local audiences (paragraphs 25 and 26).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang and Allport's system to include a second network computer for processing, formatting and storing said content specific information, as taught by Stiles, for the typical benefit of enabling EPG information in a television system to be tailored to be more relevant to local viewers.

As to claims 10 and 37, while Wang and Allport disclose a wherein said program guide data is compiled at a repository broadcast center (Fig. 1; EPG Database, 10; column 3, lines 37-41) which is the first computer (see claims 1 and 28), they fail to specifically disclose wherein the repository broadcast center is at a location remote from the first computer and transmitted to said first network computer.

In an analogous art, Stiles discloses a satellite broadcast system (Fig. 1; paragraph 17) wherein a network operations center (30) will assemble and broadcast programming (paragraph 17, lines 8-16) to a first computer (Fig. 1; NOB, 26 comprising a computer to control processing; Fig. 2, paragraph 32, lines 11-16; paragraph 17, lines 5-16 and paragraph 19, lines 1-5) which will then transmit to a second computer (NOB, 71 comprising a computer to control processing; Fig. 2, paragraph 32, lines 11-16; paragraph 22, lines 1-4 and lines 11-17) for distribution to users (Fig. 1, VSAT users, 72; paragraph 22, lines 11-17) for the typical benefit of allowing a single source to distribute content all over the world (paragraph 17, lines 12-16) with local computers to process the programming for a local audience (paragraphs 25 and 26).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang and Allport's system to include wherein the repository broadcast center is at a location remote from the first computer and transmitted to said first network computer, as taught by Stiles, for the typical benefit of allowing a single source to distribute programming to a wide an audience and still tailor the programming to local viewers.

As to claim 22, while Wang and Allport disclose a wherein said program guide data is compiled at a repository broadcast center (Fig. 1; a computer storing the EPG webpages on the Internet, 11; column 4, lines 5-8) which is the first computer (see claim 12) they fail to specifically disclose wherein the repository broadcast center is at a location remote from the first computer and transmitted to said first network computer.

In an analogous art, Stiles discloses a satellite broadcast system (Fig. 1; paragraph 17) wherein a network operations center (30) will assemble and broadcast programming (paragraph 17, lines 8-16) to a first computer (Fig. 1; NOB, 26 comprising a computer to control processing; Fig. 2, paragraph 32, lines 11-16; paragraph 17, lines 5-16 and paragraph 19, lines 1-5) which will then transmit to a second computer (NOB, 71 comprising a computer to control processing; Fig. 2, paragraph 32, lines 11-16ed; paragraph 22, lines 1-4 and lines 11-17) for distribution to users (Fig. 1, VSAT users, 72; paragraph 22, lines 11-17) for the typical benefit of allowing a single source to distribute content all over the world (paragraph 17, lines 12-16) with local computers to process the programming for a local audience (paragraphs 25 and 26).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang and Allport's system to include wherein the repository broadcast center is at a location remote from the first computer and transmitted to said first network computer, as taught by Stiles, for the typical benefit of allowing a single source to distribute programming to a wide an audience and still tailor the programming to local viewers.

As to claims 11 and 23, Wang, Allport and Stiles disclose wherein said program guide data comprises television program information for an entire channel (simulcast data corresponding to the current channel; see Wang at column 7, lines 46-49) over the course of a predetermined number of hours (wherein the EPG data is for a predetermined number of days; see Wang at column 7, lines 1-7).

5. Claims 2, 13 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang and Allport as applied to claims 1, 12 and 24 above, and further in view of Fang et al. (Fang) (6,816,201) (of record).

As to claims 2, 13 and 26, while Wang and Allport disclose wherein the viewing device may be a computing device, such as a PDA (PALM Pilot; see Allport at column 1, lines 7-15, incorporating application 09/001,873 by reference and see application 09/001,873 at Fig. 18, column 26, line 61-column 22, line 22), they fail to specifically disclose wherein the viewing device is a personal computer.

In an analogous art, Fang discloses a broadcast receiving system (Fig. 2; column 2, lines 3-11) wherein data signals transmitted with a television signal are removed (column 4, lines 39-47) and transmitted across a serial connection to a second display device (column 4, lines 44-56) consisting of a personal computer (Fig. 2; 40; column 4, lines 33-54) for the benefit of allowing a user to utilize a typical home computer for displaying content and controlling the television system (column 4, lines 40-67).

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang and Allport's system to include wherein the viewing device is a personal computer, as taught by Fang, for the benefit of allowing a user to utilize a typical home computer for displaying content and controlling the television system.

6. Claims 38-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang in view of Fang.

As to claim 38, Wang discloses a DSS terrestrial-satellite communications network (a satellite network which transmits digital MPEG data; column 4, lines 19-23 and column 4, lines 62-66) for delivering information (EPG data; column 4, lines 31-33) to a viewing device (Fig. 1; TV receiver, 34) without the need for a user to possess additional communications hardware (wherein the user simply requires a set top and display; column 3, lines 47-55), the network comprising:

means for selecting, acquiring (EPG Manager, 14; column 3, lines 56-67) and editing (formatting by MPEG streamer, 18; column 4, lines 9-13) content specific information (EPG information for programming content; Fig. 4; column 6, lines 5-16);

a first network computer (Fig. 1; EPG database, 10 inherently contained in a computer) having memory storage means for storing said information (storing the EPG data; column 3, lines 37-41);

a central network computer (Fig. 1; a computer in headend, 16; column 3, lines 42-46);

means for transmitting the content specific information from said first network computer to said central network computer (column 3, lines 56-61);

one or more communication satellites (direct broadcast satellite; column 4, lines 62-66) for receiving and transmitting broadcast signals (column 4, lines 62-66), where the broadcast signals are associated with discrete broadcast channels (Fig. 2; channels 38-38N and 40-40N; column 5, lines 5-30);

uplink means coupling the content specific information and discrete broadcast channels from said central network computer to said satellites (wherein an uplink means is inherently present for signals from the headend (16) to reach the satellite; Fig. 4; column 4, line 62-66 and column 5, lines 5-30), wherein said central network computer includes a means to couple said content specific information to the discrete broadcast channels (EPG data being transmitted over the broadcast channels; column 5, lines 5-62), where said specific content information has similar subject matter content as the coupled discrete broadcast channel (wherein the EPG has programming information for the broadcast channels; column 5, line 46-column 6, line 35);

downlink means (wherein a downlink means is inherently present for signals from the satellite to reach the set top (24); Fig. 4; column 4, line 62-66 and column 5, lines 5-29) coupling said broadcast channels and specific content information from said satellites to a receiving antenna (wherein an antenna is inherently present for the set top to receive transmitted satellite signals) situated within said satellite's coverage area (the antenna must be situated in the coverage area for the signal to be received);

an IRD (set top, 24) connected to said receiving antenna (the set top must be connected to the antenna to receive the satellite signals); and

a means residing in the IRD that decouples the specific content information from each respective discrete broadcast channel (separating the guide information from the MPEG stream; column 7, lines 66-column 8, line 21) and directs the broadcast channel to a passive viewing device (column 7, lines 50-54). While Wang discloses displaying content specific information related to the broadcast (EPG data indicating the broadcast

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programming; column 6, lines 17-48) he fails to specifically disclose directing the information to an interactive viewing device, a serial connection between said interactive viewing device and the IRD, a low speed-data port on the interactive viewing device to receiving the information via the serial connection, said interactive viewing device containing means for displaying the information on said interactive viewing device, and a memory storage device situated within said interactive viewing device, said interactive viewing device including a 750 MHz processor or greater and a Windows operating system.

In an analogous art, Fang discloses a television receiving system (Fig. 2; column 2, lines 3-11) wherein a television receiver will receive television signals with additional data (column 3, lines 25-47), direct the data to an interactive viewing device (computer; column 3, lines 39-47 and column 4, lines 33-54) across a serial connection to a low speed data port (RS-232 connection; see Fig. 2; column 3, lines 48-56 and column 4, lines 33-54) for storage and display at the interactive viewing device (column 4, lines 50-67), and software residing on said interactive viewing device that converts the data to a readable format for a browsing software (processing and displaying the received Internet/web content on the computer; column 4, lines 40-67), said interactive viewing device including a processor (column 4, lines 40-45) and an operating system (inherently present to control the computer; column 4, lines 33-67) for the typical benefit of allowing display of television related content without interfering with the use of the television display (column 3, lines 4-8 and column 4, lines 46-54).

Also, the examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize any commonly available CPU in a computer server, such as a 750 MHz or greater CPU, for the typical benefit of utilizing commonly available computer components to perform the required operations in a computer.

Finally, the examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize the well known Windows operating system for the typical benefit of implementing a computer system which is compatible with the most common and widely used home computer software.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang's system to include directing the information to an interactive viewing device, a serial connection between said interactive viewing device and the IRD, a low speed-data port on the interactive viewing device to receiving the information via the serial connection, said interactive viewing device containing means for displaying the information on said interactive viewing device, and a memory storage device situated within said interactive viewing device, said interactive viewing device including a processor and an operating system, as taught by Fang, for the typical benefit of allowing display of television related content without interfering with the use of the television display.

Also, it would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang and Fang's system to utilize any commonly available CPU in a computer server, such as a 750 MHz or greater CPU, for the typical

benefit of utilizing commonly available computer components to perform the required operations in a computer.

Finally, it would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Wang and Fang's system to utilize the Windows operating system for the typical benefit of implementing a computer system which is compatible with the most common and widely used home computer software.

As to claim 39, while Wang and Fang disclose wherein said memory storage device includes storage capacity for storage of said means for decoupling the content information (see Fang at column 4, lines 43-56), they fail to specifically disclose 50 MB of storage capacity.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize any capacity storage device which can hold the required content, such as 50 MB, for the typical benefit of utilizing commonly available computer components to perform the required operations in a computer.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to include 50 MB of storage capacity for the typical benefit of utilizing commonly available computer components to perform the required operations in a computer.

As to claim 40, while Wang and Fang disclose wherein said browsing software includes at least one of MS Internet Explorer and Netscape (see Wang at column 3,

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lines 46-55 and Fang at column 4, lines 43-56), they fail to specifically disclose Internet Explorer 4.0 or higher and Netscape 3.0 or higher.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize any available version of Internet Explorer and Netscape, such as Internet Explorer 4.0 or higher and Netscape 3.0 or higher, for the typical benefit of taking advantage of the most up-to-date versions of a particular piece of software.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to include Internet Explorer 4.0 or higher and Netscape 3.0 or higher for the typical benefit of taking advantage of the most up-to-date versions of a particular piece of software.

As to claim 41, Wang and Fang disclose wherein the means for decoupling the content information converts the content information into HTML formatted data (see Wang at column 7, lines 66-column 8, line 21 and column 4, lines 41-61).

As to claim 42, Wang and Fang disclose wherein memory storage device includes a means for informing a user when content information is being transmitted (displaying transmitted content; see Fang at column 4, lines 15-17 and 40-54).

As to claim 43, Wang and Fang disclose wherein said memory storage device includes a monitoring software program (monitoring the transmit/receive status of the

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serial port; see Fang at column 3, lines 48-56 and column 4, lines 40-54), wherein said program monitors the serial port for content information transmitted from the IRD (detecting and receiving the transmitted content; see Fang at column 3, lines 48-56 and column 4, lines 40-54).

As to claim 44, while Wang and Fang disclose wherein the interactive viewing device receives content information, they fail to specifically disclose framed files, wherein each file includes a cyclic redundancy code in order to verify the contents of each file.

The examiner takes Official Notice that it was notoriously well known in the art at the time of invention by applicant to utilize framed files and a cyclic redundancy code, which consist of adding characters to files to ensure that they are transmitted and received properly, for the typical benefit of ensuring that received data is accurate and has not been corrupted.

It would have been obvious to one of ordinary skill in the art at the time of invention by applicant to modify Fang and Wang's system to include framed files, wherein each file includes a cyclic redundancy code in order to verify the contents of each file for the typical benefit of ensuring that received data is accurate and has not been corrupted.

Response to Arguments

7. Applicant's arguments filed 01/17/06 have been fully considered but they are not persuasive.

a. On page 14, of applicant's response, applicant argues that the remote control of Allport does not equate to the interactive viewing device as recited in claims 1, 12 and 24.

In response, Allport clearly discloses an interactive viewing device for receiving, storing and displaying content transmitted from an IRD (see Fig. 2; column 12, lines 11-44), and thus clearly reads upon the broad claim limitations of an "interactive viewing device".

Furthermore, it is noted that applicant's additional arguments in regards to the interactive viewing device, i.e. consisting of a computing device such as a personal computer, are not actually recited in any of claims 1, 12 and 24, but are instead addressed separately in other dependent claims. In regards to these specific limitations in those dependent claims, applicant is directed to the previous rejections where it is noted that Allport discloses where his remote control can be utilized in a PDA system. Finally, the specifics of utilizing a "computer" as the interactive viewing device were never rejected under Wang and Allport, but are currently rejected under Wang, Allport and Fang.

b. On page 14, of applicant's response, applicant argues that the remote control of Allport does not equate to the interactive viewing device as recited in claims 1, 12, 24 and 28, as the interactive viewing device of the present invention

enables the use of various software applications such as Windows, Internet Explorer and/or Netscape.

In response, as indicated above, Allport clearly discloses an interactive viewing device. The specific limitations that applicant argues, i.e. that applicant's additional arguments in regards to the interactive viewing device, i.e. use of various software applications such as Windows, Internet Explorer and/or Netscape, are not actually recited in any of claims 1, 12 and 24.

While new claims 38 and 40 do address these specific limitations, these claims are not rejected under Allport, and therefore applicant's arguments are moot.

c. In response to applicant's arguments on pages 14-15, in regards to claims 8, 10, 11, 20, 22, 23 and 37, see the previous rejections and (a)-(b) above.

d. On page 15, of applicant's response, applicant argues that Wang does not disclose bundling content specific information to discrete broadcast channels, where the content specific information and broadcast channel are coupled based upon the same or similar subject matter.

In response,

i. Wang specifically discloses bundling EPG information into broadcast channels (transmitted over the regular broadcast video channels; Fig. 4; column 7, lines 31-49). EPG data is clearly content

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specific information, as the contents of the EPG are based upon, and list, the program content being broadcast (column 6, lines 5-48). Further, as the EPG information is listing information concerning the program content being broadcast, it is clearly similar to the subject matter of the broadcast (column 6, lines 5-48).

ii. The current claims simply require that the content specific information has similar subject matter to the broadcast channels. There is no requirement that the coupling be specifically *based* upon the fact that the subject matters are similar.

Conclusion

8. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on _____.
(Date)

Typed or printed name of person signing this certificate:

Signature: _____

Registration Number: _____

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. () _____ - _____ on _____.
(Date)

Typed or printed name of person signing this certificate:

Signature: _____

Registration Number: _____

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sheleheda whose telephone number is (571) 272-7357. The examiner can normally be reached on 9:00-5:30.

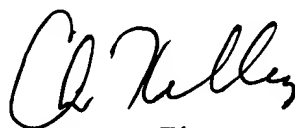
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

James Sheleheda
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JS


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